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# NATIONAL REVIEW

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March 1, 1958

A WEEKLY JOURNAL OF OPINION


## *It's Still Happening in Pasadena*

MORRIE RYSKIND

## *To the Rescue of Congress*

CORNING WHITE

## *A Bill to Curb the Court*

L. BRENT BOZELL

*Articles and Reviews by* · · · · · · E. v. KUEHNELT-LEDDIHN

JAMES BURNHAM · HUGH KENNER · RUSSELL KIRK

# *For the Record*

Republican Party leaders hear that Sherman Adams is seeking support as the number two man on the ticket in 1960. Adams is said to believe that if he succeeds in getting such a commitment, a deadlocked convention would choose him for the top of the ticket. . . . Judge Robert Morris has promised that if he is elected to the Senate, he will "forcefully support a reduction of our top income tax rates to no more than 50 per cent." . . . Veteran lawmakers expect a heated battle over Administration proposals to liberalize the selective immigration law. Civic groups in the more populated states are alarmed by the predicted 60 million natural increase in U.S. population over the next twenty years.

America's European allies do not share Washington's optimism about an upturn in the U.S. economic picture. The West Berlin Telegraf summed up the opinion on the Continent as follows: "Rising American exports, coupled with sinking American imports, can only have the effect of rapidly disorganizing the international economic order. . . ." The West German government has announced the sale of Junkers, the aircraft company whose main factory was almost completely destroyed by Allied bombers in 1944, to private interests.

Never, in the memory of Washington newsmen, has a foreign ambassador been accorded the deference with which the Administration has greeted the new Soviet Ambassador Mikhail A. Menshikov. . . . Fellow traveling scientist Linus Pauling, who nevertheless believes in moving cautiously, is angry at extravagantly pro-Communist remarks made recently by Cyrus Eaton in Montreal, and has threatened to refuse to spend any more of Eaton's money and forever more to boycott Pugwash.

The Government of Chiang Kai-shek on Formosa is under increasing pressure from overseas Chinese groups, particularly in Southeast Asia and South America, to give signs of independence of the U.S. and its "do-nothing" policy regarding the plight of mainland Chinese. . . . The Chinese Communist radio has launched a campaign for the "complete elimination of 'yellow' songs on the music front." Contending that "people's music should prevail over bourgeois music" one broadcaster urged that the popular song "When Will You Come Back Again?" be banned, and that "I Want to Become a Good Cooperative Member" be sung in its stead.


# NATIONAL REVIEW

A WEEKLY JOURNAL OF OPINION

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# The WEEK

● Protocol, we assume, obliges Mr. Eisenhower to receive a new Soviet Ambassador when he comes to present his credentials. Protocol, we are *willing* to assume, further obliges him to shake hands, and let the scene be photographed. But *nothing* obliges him to paint onto his face, as he shakes hands, the same smile with which he presumably welcomes Son John when he comes over for the evening; and we will thank him (in language Cadet Eisenhower once well understood) to *wipe it off!*

● "From the Office of Senator Prescott Bush: U.S. Senator Prescott Bush said tonight that 'a Republican victory in November is not only possible, but inevitable, if we close ranks now, reactivate the enthusiastic Republican organization of 1956, take the offensive and carry our case to the people.'" From the Office of NATIONAL REVIEW: "Memo to Senator Bush: The enthusiastic Republican organization of 1956 *lost* the Senate and the House of Representatives. How about an *un*enthusiastic organization, if necessary, but one which closes ranks around a set of principles rather than an evanescent President?"

● Anyone who would like an accurate measure of the degree to which the nations of the Middle East—for whose tender sensibilities we have so often sacrificed our own and our Western allies' interest and honor—have reached the level of humane civilization might ponder the procedure that is being used to unite this and that pair of them. A weekend get-together for the respective two No. 1's and—whish!—what were two nations are now one nation. The "citizens" trot obediently out to celebrate in the streets before most of them know which other nation they have united with. If King Saud wants to pull a real coup on both the new fusions, he might try Israel for *his* weekend.

● The structure of the postwar French government—imposed on liberated France by an Anglo-American pressure primarily concerned to assure the Communist Party an accepted spot in the political constellation—is designed to make government stability impossible. Therefore Félix Gaillard, the youthful current premier, cannot be assigned a political life expectancy of more than a few months. He has already, however, managed to upset nearly every rule of the office. He staked, and won, a vote of confidence on the issue of cutting down, not increasing, pension and social welfare payments. He gives no audience to Communists, and tossed Bulganin's overtures back on the Kremlin's doorstep. The French left wing is dismayed. It is afraid that a Frenchman has appeared who is more interested in France than in personal career or abstract ideology.

● The Soviet *Literary Gazette,* in spite of itself, told the strict truth when, in a recent expose of political irresponsibility in Washington, it disclosed that Senator Carter Glass has not turned up at a single Senate hearing for two whole years. In point of fact, Senator Glass' absenteeism dates back to 1946 (he died then), but in an age of softened international relations the Communists are, appropriately, modulating their invective.

● Last week the government of Poland announced that Polish foreign policy was most definitely aligned with Soviet foreign policy, and the government of the United States announced that an additional 90 million dollars worth of U.S. aid was being sent to Poland. We have not achieved the objective of coordinating Polish and U.S. foreign policy, but we have at least succeeded in coordinating public announcements regarding matters of common interest to the two nations.

● When U.S. Attorney Louis B. Blissard resigned from the Board of Directors of the Hawaiian Red Cross in protest against the election to the Board of Newton Miyagi, identified as a Communist by the Territorial Commission on Subversive Activities, he was violently attacked by the Board's Chairman, Federal Judge F. Frank McLaughlin. Judge McLaughlin charged that Mr. Blissard suffers from "super-Americanism that penalizes people for exercising their constitutional rights." Is Judge McLaughlin making a bid for appointment to the Supreme Court?

● We learn of an advertisement in the *Little Rock Daily* by a Committee composed of parents of students of the Central High School, which will be remembered as the scene of America's most recent military triumph. The ad is headed "Goodbye White Christmas," and protests the action of the administration of the Central High School in removing "White Christmas" from the list of songs normally sung by the student body during December. The proscription of "White Christmas" followed a protest by a Negro girl who felt that to characterize Christmas as "white" was to pre-empt it for the Caucasian race. The committee angrily demanded of the superintendent, "Mr. Matthews, we think you owe the white people an explanation on this matter. If a Negro complains that the 'white' section of our American flag offends him, shall we haul down the flag?" And, having substituted

for white stars a number of black ones proportional to the Negro share of our population, run it back up again?

● The Administration of Bennington College made a bold decision last week which, we suggest, indicates the most sensible response to the financial crisis of higher education. The president of Bennington decided, announcing a $400 increase in the annual tuition rate, that henceforward Bennington will charge its students the cost to the college of sending them through—in Bennington's case, $2,600 per year. Granted that is an enormous sum; and herewith Bennington's palliative: any student (or parent) who cannot, or does not choose to, pay the entire amount in a given year, may borrow up to $400 per year interest free, for as long as the student is at Bennington. Thereafter, interest is to be paid annually, until the principal is repaid. Meanwhile, the college will discount the notes with local banks, thus raising the money with which to pay current expenses. In short, the student—not the alumnae, not the community, not the state, not the federal government—pays for her own education, and the college and the banks provide the means for making possible payment over a period of years.

**The grand jury called to investigate the tax returns of Representative Adam Clayton Powell Jr. has ten weeks to live. Fifty-three weeks have gone by since it was last convened to hear evidence.**

● *On Solving America's Problems, Foreign and Domestic, with the Americans for Democratic Action* (Excerpts from the ADA's Legislative Program, as commended to the attention of the 85th Congress): *Toward A New and Dynamic Foreign Policy*: "The Congress should expand the current program of aid to underdeveloped countries. . . ."

*Toward Domestic Happiness*: "The American economy, fully employed, can well support five or ten billion more per year for social and economic welfare, even if an adequate defense requires equivalent increases in military outlays and foreign aid."

*Toward Fiscal Responsibility*: "If increased welfare and defense expenditures prove inadequate to turn the economic tide, then we might even have to face up to a temporary reduction in tax revenues."

*Toward the Interment of Reactionary Shibboleths*: "We reject the principle that a balanced budget is the highest endeavor of man."

## *A Chance to Make Sense*

The breach in Indonesia has widened almost to civil war. There now exists a classic instance of "dual power," with two claimants to sovereignty: The Java-based Sukarno regime at Jakarta; and the "government of the Colonels" at Padang in Sumatra.

According to historical precedent, this cannot endure for long. One or the other must capitulate politically; or they must fight out the decision by arms.

The West's stake in the outcome is very high, and if the Sukarno regime wins a clear-cut victory under the circumstances as they have now developed, Sukarno will emerge as a Communist captive and Indonesia will swing into the Soviet orbit. Sukarno begins, moreover, with numbers and arms heavily weighted in his favor.

We can alter that balance, and it is hard to see how otherwise it can be corrected. It is not a question of official action by the American government, which may be impossible at this stage. What is required, negatively, is an informal embargo to shut off from Jakarta the funds and supplies that Sukarno and his Communist allies might use against the insurgents. Positively, the Colonels need arms and money; and the assurance that we will do business with them if they are serious. This is precisely the kind of unofficial operation for which the activist wing of the Central Intelligence Agency was created. In Indonesia during these next months CIA has a spectacular chance to make up for a batch of dismal failures in its brief past, and to show some return for the billions of publicly unaudited dollars that have been lavished on it.

## *The Friends of Juan Perón*

Argentina's provisional government under General Pedro Aramburu, which took control in 1955 after the overthrow of the Perón dictatorship, insists that the February 23 election will go through as scheduled. The contest for the Presidency has narrowed down to two principal candidates. One is Ricardo Balbin who, running on the ticket of what is called the "People's Radical" party, is solidly backed by the country's conservative and moderate forces, both rich and poor. The other, nominee of the "Intransigent Radicals," is Arturo Frondizi, supported by a broad front of the Left, ranging from what would be known among us as Liberals, to assorted Marxists. There are a number of minor parties with avowed candidates in the field, but these have so little standing that nearly all the voters will line up behind one of the two major rivals. The Communists have officially withdrawn their slate in favor of the left-wing Frondizi.

Until last week it had been supposed that the

Peronistas—the unreconstructed followers of the deposed Juan Perón, who probably number several million—would abstain. It was suddenly announced by Oscar Albrieu, Perón's top representative in Argentina, that the Leader had sent written instructions: Vote for Arturo Frondizi.

Thus the United Front is completed. Quite possibly Perón's order will throw the election to Frondizi and the Left, with a resultant government that would include Communists, Socialists, Peronist totalitarians, and the Argentine similars of the ADA.

We reflect with some awe: what would our Liberal press have been writing about us conservatives, our "natural allies," and "the basic nature of conservatism," if Juan Peron had declared for the conservative-backed Ricardo Balbin?

But as for us, we will, under the painful circumstances, draw no moral.

## *We May Not Like You, Mr. Porter, But*

As we remember it, Congressman Jack Porter of Texas had a hand in contriving the Thou Shalt Not Steal dirge which was instrumental in effecting the lunatic repudiation of Senator Robert Taft by the Republican Convention in 1952; and so, in his hour of need, we extend a hand to Mr. Porter a little grudgingly. It is ridiculous that Mr. Porter should be castigated so severely for what he has done. For those who have not seen the story, it is this:

Congressman Porter persuaded House Minority Leader Joe Martin to speak in Houston this year at the annual Lincoln's Birthday Republican fund-raising dinner. Having done so, Mr. Porter sent out letters to Houston Republicans urging them to buy tickets at the customary $100 apiece. The letter reminded Houston Republicans, many of whom are engaged in the oil and gas business, that Congressman Martin has persistently fought in Congress for a bill to exempt independent gas producers from regulation by the Interstate Commerce Commission. It is especially appropriate, under the circumstances, Mr. Porter wrote, to give Martin a warm reception, get a good gate at the dinner and thus raise a substantial donation for the Republican Party.

There came a hue and cry. Paul Butler, chairman of the Democratic Party, suggested, in about as many words, that Oil and Gas tycoons were suborning the legislature. The Republican Party officials reacted as though they had been caught with a hand in the cookie jar. They promised to have nothing to do with the $100,000 raised at the dinner, blasted Porter for spectacular ineptitude, pronounced the episode another instance of the "arrogant methods" which last year brought on the President's veto of the Gas Bill, speculated that Porter's letter might trigger action on Senator Williams' bill to reduce the depletion allowance to 15 per cent, and sighed that the episode had extinguished the possibility that a gas bill would be passed this year.

May we be permitted a word? 1) The gas legislation in question is not a sneaky bill that depends on furtive maneuvering by slavish supporters of a special interest group: it is a part of the Republican Platform, approved by Mr. Eisenhower, and by many Democrats. (The Senate sponsor of last year's gas bill, in fact, was none other than Senator William Fulbright.) 2) The legislation in question is not designed to confer special privileges on independent gas producers; it is intended merely to give them the same right enjoyed by other businessmen—the right to sell their gas at a price arrived at not by a federal bureaucratic agency, but by the free market. 3) Only a pathologically suspicious mind would suggest that the position of the dean of Republican Congressmen on gas legislation would be affected by a dinner in Houston, Texas. 4) A Democratic fund raising dinner in, say, Milwaukee, addressed by, say, Senator Proxmire, the invitations to which reminded Milwaukee farmers that Senator Proxmire was fighting for legislation to prohibit Secretary Benson from lowering parity on dairy products to 75 per cent, would not have caused a ripple of protest. But then, 5) the sad fact is that many Republicans—and this is the key to the insufficiency of Modern Republicanism—because they are ignorant of the premises of the free society, have a guilty conscience about the constituent elements of the free market, and can be counted on, every time, to beat a hasty, panicked retreat before the fire of demagogy.

## *Needed: A Disarmament Truce*

A twelve-man commission of the International Association of Garbage Collectors and Street Cleaners, after a six-months investigation financed by the Fund for the Republic and the Rockefeller Foundation, has submitted a highly classified report to the White House which, we are reliably informed, warns that the worldwide fallout of disarmament nonsense spouting daily from the capital cities of all nations is getting close to the saturation point at which all sewer systems will become permanently clogged. NATIONAL REVIEW endorses the report's central recommendation: a one-year emergency ban on all talk, letters, notes, messages, discussion or negotiation, public or private, dealing in any manner anywhere in the world, with the subject of disarmament.

We assume that by now everyone comprehends that disarmament talk has nothing to do with dis-

armament, but is simply one way of fighting the cold war. How conceivably could a twenty-five-nation mass meeting—such as the UN's official disarmament commission—seriously discuss the necessarily detailed, specific problems of disarmament? Obviously it can operate only as the propaganda forum that it is intended to be, and Bulganin is quite right to criticize it as too small. He wants at least six and preferably all nations added, in order to build up his sounding board.

Who should be surprised that the United States demands an "open sky inspection plan"? The Pentagon naturally enough would like a peek at the Soviet defense installations, and knows that Soviet agents see all of ours in any case. Who should wonder that the Kremlin counters with a proposal to neutralize central Europe—a few months before Western intermediate-range missiles, zeroed on Soviet targets, will be mounted on central European launching pads? Or that Washington replies with a call for "control of outer space"—that is, for control of intercontinental missiles, whose trajectory carries into outer space—just when American intelligence notes Soviet progress on ICBM's that could blow up most of North America?

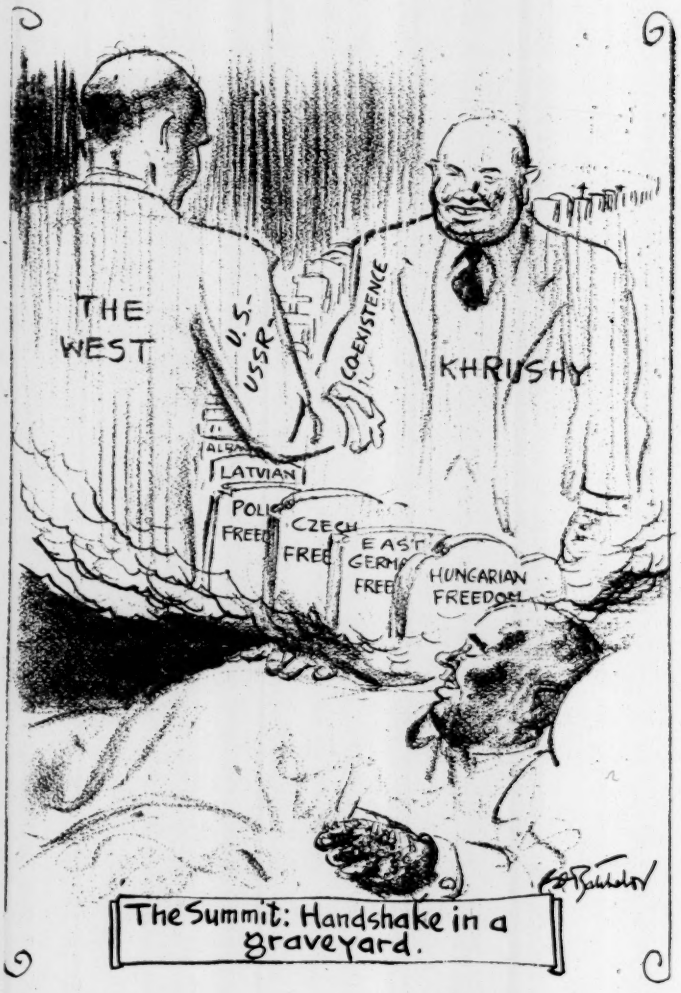
The daily exchange of letters and insults starts out ridiculous, and ends by becoming unutterably boring. Maybe we can agree with the Russians to assign one of the forthcoming space platforms—*without* radio facilities—to Harold Stassen and his opposite numbers for a perpetual and exclusive armistice conference, so that meanwhile the rest of us can go about our business.

## *The Happy Abolitionist*

A reader sends along a first-hand report of a recent meeting of the New Haven branch of the American Civil Liberties Union, held at the Yale Law School. The main speaker was Joseph L. "Mr. Civil Liberties" Rauh Jr., of Washington, ex-chairman of Americans for Democratic Action; counsel for just about anyone seeking to hinder congressional investigations of Communism; and sometime paymaster to Paul Hughes, a confidence man whom Mr. Rauh retained to spy on Senator McCarthy, and who kept Mr. Rauh slavering for months by feeding him with lurid accounts of the Senator's alleged enormities.

Here, then, is the line which Mr. Rauh, heartened by the Supreme Court's war on anti-Communism, is zestfully setting down these days. One must bear in mind that all is not solemnity at gatherings addressed by Mr. Rauh, who has a wonderful light touch. For instance, he spoke the other night of a dream in which he confronted Marshal Tito: "Give me Djilas," he said to Tito, "a democrat, and I'll trade you Morris, Sourwine and Arens" (respectively, past and present chief counsel of the Senate Internal Security Subcommittee, and chief counsel of the House Committee on Un-American Activities). The "Communism Committees" of Congress, Mr. Rauh went on, are exclusively engaged in "the exposure [of persons] to public ridicule for doing acts which were in the past legal." (Mr. Rauh's dream, we should have noted, has finished.) The chairman of one anti-Communist committee (Rauh named him) is in trouble for non-support of his wife —however, said Rauh, not having all the evidence, *he* wouldn't prejudge the case (get it?)—but he wonders how that chairman would take to the suggestion that public lists be compiled of "non-supporting husbands?"

The hilarity continued: Mr. Rauh gave ten reasons why the House and Senate anti-Communist committees should be abolished. Among other things the committees "attempt to stifle criticism," as witness the "outrageous" investigations of the Fund for the Republic and the *New York Times;* they engage "audaciously" in political activities —*e.g.*, "the leakouts from their files implicating Senator Javits with Bella Dodd"; their procedure is "fantastic"; they use "professional liars" (professional liars, if we cor-



rectly understand Mr. Rauh's approach, should be used only to spy on *anti*-Communists); they "keep people in the Communist Party" for fear of the "terrible ordeal of identifying their friends"; and finally, their abolition would be a great symbolic achievement.

The evening was not without a spirited difference in opinion, to which, at the end of the meeting, Mr. Rauh referred as indicative of the vitality of the discussion process, and the high state of health of civil liberties in New Haven. The dissent was entered by veteran Communist-front joiner Thomas I. Emerson, professor at the Yale Law School. Professor Emerson rose to read a statement denouncing the Un-American Activities Committee's action in branding the pro-Communist Emergency Civil Liberties Group as pro-Communist. The only offense, said Mr. Emerson, of which the Emergency Civil Liberties Group is guilty is that of attempting to make the "real distinction between Fascism and Communism." Mr. Rauh joined issue boldly, and said that while he agreed that the action of the House Committee had been deplorable, he *did* think that "both Communism and Fascism were the same." Surely Thomas Emerson, being a professor of the Yale Law School, knows better than Mr. Rauh when it comes down to definitional niceties, but he didn't pull his rank, evidently; Mr. Rauh is not one of his students.

All in all, a grand evening.

## *George Washington*

"I can not recommend to your notice measures for the fulfillment of our duties to the rest of the world without again pressing upon you the necessity of placing ourselves in a condition of complete defense and of exacting from them the fulfillment of their duties toward us. There is a rank due to the United States among nations which will be withheld, if not absolutely lost, by the reputation of weakness. If we desire to avoid insult, we must be able to repel it; if we desire to secure peace, one of the most powerful instruments of our rising prosperity, it must be known that we are at all times ready for war." Fifth Annual Address to Congress. December 3, 1793.

"It is important, likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration to confine themselves within their respective spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all departments in one, and thus to create, whatever the form of government, a real despotism.

"The preservation of the sacred fire of liberty and the destiny of the republican model of government are justly considered, as *deeply,* as *finally,* staked on the experiment entrusted to the hands of the American people." First Inaugural Address, April 30, 1789.

## *Georges Rouault, 1871-1958*

The life and work of Georges Rouault, concluded on February 13, prove once more the ever renewed truth that the human spirit is the world's decisive reality, for which all else—styles of art no less than economic status or forms of government—is external trapping. His talent was too immense and terrible to bring quick fame or swift result: he was in his forties before he sold a single painting. So absolute was his standard that he would wait as much as twenty-five years to be sure a picture was finished; and in 1948, after recovering them by a tedious lawsuit, he burned more than three hundred of his own paintings—worth even then a million dollars or more—because they were less than his best.

As artist he lived through, and in the midst of, the esthetic revolution of our era, understanding its secret roots and mastering its technical discoveries without ever succumbing to that dehumanization of art (as Ortega first named it) that seduced many even of his most brilliantly gifted contemporaries. His clowns and prostitutes and kings, judges and Christs and Virgins—almost sculptured out of pigments that like the stained glass of his first apprenticeship fuse a blasting darkness to the living glows of reds and blues and yellows—make known the world's desolation, terror, sorrow and tragedy, and by a final grace, the joy also that can arise only when desolation and terror and sorrow have been known, accepted and transcended. Like Dante's, Rouault's ultimate serenity was reached only by the journey through Hell and Purgatory, to the circles of light from which Piccarda answers: *La Sua Volontate è nostra pace.*

*A Correction:* By error, NATIONAL REVIEW attributed to the librarian of the Hackensack Public School the illiterate reading list referred to in the editorial, "Recommended Reading" (February 8, 1958). The illiterate flyer had been prepared by a librarian of a public school *"in the vicinity* of Hackensack," and we have been unable to establish just which school this is. By all accounts the librarian of the Hackensack school is a highly literate lady, and we apologize sincerely to her for any insinuation to the contrary.

# A Bill to Curb the Court

L. BRENT BOZELL

This surely qualifies as one of the major surprises of our yet young year: the 85th Congress is giving serious consideration to Senator Jenner's bill to limit the appellate jurisdiction of the Supreme Court. When Jenner introduced the bill last summer, its chances of getting congressional support looked like Stassen's of becoming President. Congress had its back up over recent Court decisions, true; but in this age of moderation a proposal to strip the Court of all of its power in certain areas was hardly *comme il faut*. And though the bill was approved by the Subcommittee on Internal Security[1] in August, the outlook remained unpromising: capital observers (including this correspondent) felt sure the full Committee on the Judiciary would give it a cold shoulder when Congress reconvened.

We were wrong. The Judiciary Committee is currently split in two over Jenner's measure. It has decided to return the bill to the Subcommittee for further hearings, and has agreed to take a final vote on it no later than March 10. Starting this week (February 18) the Subcommittee will devote full time to testimony on the bill. There are signs of genuine concern in Liberal quarters: Senator Hennings is said to be urging a number of legal experts to testify; the ADA, which doesn't need mobilizing, will be on hand; the *Washington Post* has already opened up its editorial guns.

This is not a measure, however, that cleanly divides Liberals from conservatives. That it took more than conservative votes to tie up the Judiciary Committee is one indication. But here is the disconcerting note: there are two views about Jenner's bill, even within the conservative community.

1. The objection to the bill most commonly heard in lay circles is that it smacks of the Liberals' method of dealing with institutions that do not do their bidding. Is the Jenner bill very different, the argument runs, from Roosevelt's Court-packing plan? In the thirties, we conservatives vigorously opposed attempts by the political branches of the government to punish the judiciary for making unpopular decisions. How justify a *volte face* by conservatives in the fifties? While this argument represents a commendable concern for consistency—a consideration one seldom finds Liberals worrying about—there is, it seems to me, an obvious and decisive difference between the two situations. The Supreme Court, before Roosevelt tried to pack it, was insisting upon strict adherence to the Constitution. Conservatives opposed efforts to force the Court to deviate from the Constitution. Today the Supreme Court is *violating* the Constitution in case after case. Senator Jenner's bill seeks to enforce judicial observance of the Constitution. The common denominator in the two situations is allegiance to the Constitution.

2. Even so (the argument continues), the Jenner bill seems to strike at the foundations of our prized "separation of powers" doctrine: granted that the Warren Court has decided many important cases erroneously—is this sufficient warrant for congressional intrusion into the judicial sphere? But the point, surely, is that the Supreme Court has already crossed the boundaries that are supposed to separate the branches. Jenner's bill is defensive: it seeks to push the judiciary back into its own territory, thus restoring the constitutional plan. The Constitution provides that all *political* powers belong to the legislative and executive branches (federal and state). The Supreme Court, however, has taken to making political decisions; it has done so in every one of the cases to which the Jenner bill is addressed. While it may be wise for the executive branch to confine its security program to "sensitive" employees; for the states to leave subversion to federal authorities; for schools to hire teachers, and bar associations to admit lawyers, who refuse to answer questions about Communist activities; these are questions for the political branches to decide. And it is the duty of the political branches to recover their power to decide them. It is their duty to us as citizens. For we have a constitutional right to popular control over our political affairs.

3. But this answer frequently invites a further objection. The Jenner bill, it is said, is not the broad, lofty assertion of the political branches' prerogatives, *vis à vis* the judiciary, that we are told is desirable. The bill deals with a highly arbitrary group of cases—Communist cases—which were selected, no doubt, because of their notoriety; this proposal, on the face of it, is punitive legislation designed to discredit and humiliate the Court.

Let us make no mistake about what the Jenner bill tries to do. One of its objectives is, indeed, disciplinary. The idea is to chasten the Court, to make it behave. In recent years, demonstrably, the Supreme Court has been a law unto itself: it has usurped the lawful powers of other bodies; it has disregarded constitutions and statutes; it has run rough-shod over judicial precedents—the precedents it has not chosen to ignore, it has distorted and misrepresented. The Court,

[1]The Jenner bill would deny jurisdiction to the Supreme Court in all cases involving state anti-subversion measures (an answer to the Court's decisions in the *Nelson* and *Sweezy* cases), the federal security program (the *Cole* case), prosecutions for contempt of Congress (the *Watkins* case), measures directed against subversion in the schools (the *Slochower* case) and state bar admissions (the *Konigsberg* case). Cf. column August 24, 1957.

in a word, *needs* to be disciplined. For these purposes, an object lesson might do the trick. Which lesson? It so happens that many of the Court's most flagrant transgressions have occurred in the internal security field—Senator Jenner cannot be blamed for that. What could be more reasonable, then, than that this field should be the one singled out for the object lesson?

Note, moreover, how the language of the Constitution lends itself to such selectivity—indeed, almost *invites* Congress, when it deems such action to be in the national interest, to carve out limited areas from the Court's normal jurisdiction. After vesting the whole "judicial Power of the United States" in "one Supreme Court" (and in whatever lower courts Congress might establish), Article III turns around and qualifies the grant: 'the Supreme Court," Clause 2 of Section 2 provides, "shall have appellate Jurisdiction, both as to Law and Fact, *with such Exceptions, and under such Regulations as the Congress shall make.*" (Emphasis added.) The provision is a classic instance of the Constitution's built-in "checks and balances." It was the Framers' way, invoked today by Senator Jenner, of giving the peoples' representatives in Congress permanent power to keep the Supreme Court in bounds.

## *For Internal Security*

The second objective of the Jenner bill, of course, is to protect the country against the internal conspiracy. The Warren Court has brought down, or rendered ineffective, nearly all the anti-Communist bulwarks that public authorities have so laboriously erected over the past twenty years. The result is a national crisis. It would call for drastic remedies, quite aside from the need to discipline the Court. (As a matter of fact, the one valid criticism of Jenner's bill is that it does not deal comprehensively with the internal security problem. Cases involving federal prosecution of subversives are unaffected.)

Several other aspects of Jenner's selective approach should be noted. It does not, for one thing, put the Supreme Court out of business: the Court's power is unaffected in the vast majority of cases that ordinarily come its way. For another, it does not place the Communist cases beyond judicial review. The highest courts of the states would have final say in subversive cases arising under their laws. The Circuit Courts of Appeal would have the last word in the federal cases with which the Jenner bill deals. And finally, as to the Communist cases, the bill simply puts the Supreme Court on probation: should the Court show signs of having learned its lesson, Congress could, and probably would, restore the power the Jenner bill takes away.

4. But these considerations, in turn, raise yet another objection. Is not the Jenner bill a mandate for judicial anarchy in the field of subversion? How is uniformity in law interpretation and law enforcement to be achieved without a central authority to bring the various courts into line? The objection sounds good, but fails, I think, on a moment's analysis. Three types of cases affected by Jenner's proposals require construction and evaluation of state laws. Centrally imposed uniformity in this area is not only unnecessary; it may be quite undesirable. To be sure, such cases may involve an interpretation of the federal Constitution. But state supreme courts, presumptively, are as capable as a federal court of reading and construing the document. And if the Minnesota Supreme Court happens to read the document differently than the Michigan court, where is the national loss? And where is the loss to the individual citizen of either state who would, after all, be put on notice by the Jenner bill that the final adjudication of his rights will come henceforth from St. Paul or East Lansing, rather than from Washington?

The other cases affected by Jenner's bill—security program cases and congressional contempt citations—are bound to originate, for reasons of venue and jurisdiction, in the U.S. District Court in Washington. The final court of appeal, therefore, would always be the Circuit Court for the District of Columbia, and uniformity would follow as a matter of course.

5. One hears the argument, finally, that there are (or, more often, "there *must* be"), other, less drastic ways of bringing the Court into line. Well, what ways? The suggestion most frequently advanced is that Congress enact corrective legislation in each of the areas where the Court has transgressed. But in many cases—three of the types to which the Jenner bill is addressed—Congress simply has no power to "reverse" the Court. The *Watkins, Slochower* and *Konigsberg* cases all turned on the Court's highly imaginative definition of "due process of law." Congress has no authority to interpret the due process clauses of the Constitution; more exactly, the Court has no obligation to pay any attention to Congress' interpretation.

## *Attempt to "Clarify"*

The *Nelson* and *Cole* decisions would seem to hold more promising opportunties for reversal since they were based on an alleged "intent of Congress." Why can't Congress simply "clarify" its intent? Well, consider: In Title 18 of the U.S. Code, the title that contains the Smith Act, Congress provided: "Nothing in this title shall be held to take away or impair the jurisdiction of the several states under the laws thereof." In the *Nelson* case, however, the Court held that Congress intended the Smith Act to deprive the states of jurisdiction to enforce their sedition laws. Similarly with Cole: I remember sitting down with one senator a couple of days after that case was decided, trying to think up language for new legislation that would "clarify" Congress's intent to permit the President to extend his security program to "non-sensitive" agencies. The Court, you see, had said that the language already on the books—*i.e.*, that the security program might be extended "to all other departments and agencies of the government as the President may, from time to time, deem necessary"—meant that the President could *not* extend the program to these other departments.

The point is not so much that more explicit words are not to be found. But rather that Congress, with this experience of judicial perversity in cases where the Court is determined to reach a preconceived conclusion, cannot afford to rely on mere professions of intent; after the new permissible legislation has been implemented, and processed through the courts, the Supreme Court will undoubtedly have thought up a new device for frustrating the congressional will.

# *Letter from Asia*

E. v. KUEHNELT-LEDDIHN

## *Neutralism and Pro-Sovietism in the Middle East*

When I speak about the Middle East, I obviously refer to the countries between the Near East (Egypt, Turkey, the Arab Nations) and the Far East—Siam, China, Vietnam, Japan, which means that I want to talk about the land mass from Persia to Burma. There has been a perverted journalistic tendency to transfer the Middle East to the Near East, which is geographic and historic nonsense.

Two countries in the Middle East, India and Ceylon, display strong neutralist and even pro-Communist tendencies. There is a variety of reasons for this political behavior, yet we only want to single out three.

A minor factor is an anti-Western resentment not among the masses, but in a certain educated and, even more, *semi-educated* layer. This resentment comes from a colonial past: Europe should not be particularly ashamed of its colonial record (certainly not from the point of view of sheer administrative endeavor), but there can be no doubt that the colonial governments unavoidably and automatically gave the most rewarding jobs to Europeans. Even today when the independence of these nations has been achieved, Europeans and Americans employed in various enterprises get much higher salaries than the "local boys." They are experts who would stay home if they were not offered special rewards to use their skills abroad. Nevertheless, they are envied—which, psychologically, is understandable. And to be anti-Western automatically makes unthinking people friendly toward the enemy of the West—the Soviet Union. Thus the shabbily dressed delegations from the USSR and the "people's democracies," lacking the dash and assurance of the Westerners, appear to the Asians as a "friendlier lot." Every Westerner is inevitably a Sahib because he comes from a world of ease, frankness, competitiveness and personal pride.

A great deal more important than this side-issue is the fact that so many of the political leaders in Asia were educated in Britain, whose universities in the period between the two world wars were leftist. While the intellectuals on the Continent veered toward the right, British intellectual life drifted in the opposite direction. The leftist wave which hit Britain in the nineteen-twenties reached America ten years later.

### *Marx Is "Modern"*

When a stone is dropped into a lake, ripples continue in expanding rings long after the center is calm again. If one wanders through the bazaars of Old Delhi one sees numerous street venders displaying the classic leftist books which swept English universities decades ago. Printed in English, the books are produced in the Soviet Union. One wonders how many Indian students, feeling terribly "modern," are going to buy *Das Kapital* by Marx in two volumes. The nineteenth century is only now entering India in majestic greatness.

Of course, there is—as in so many instances—the crime of a "conservative" neglect. Students from Asia, living in homesickness (and often penury) away from their paternal homesteads, isolated in a strange world, were rarely contacted by the right people at the right time. Neither the social leaders of the West nor Christian circles showed much interest in them. What, "nice" Europeans and Americans wondered, were their table manners? Could one be sure that they would not make love to or even marry one's daughter? "Emancipated" leftist circles thus got hold of many of these students, who became devotees of the national-socialistic cocktail of ideas which prompts them today to see in Sovietism an ideology with many points in its favor.

Thirdly, there is the case of India which must be considered not only in the light of the nineteenth-century notions Mr. Nehru imbibed in Cambridge, but also from a fundamentally Indian-Hindu angle. Apart from the relativism inherent in Hindu philosophy and theology, there is also deeply ingrained an aversion to force. India extricated herself from British domination not only by a sanguinary revolution, but by Mr. Ghandi's movement of "non-cooperation." The Asian mind in general and the Indian mind in particular simply do not work in the strict logical categories of the West, whose civilization is based upon the synthesis of Christianity and the triad of Aristotlelianism, Scholasticism and Rationalism. The specific haziness of Asian thinking has a certain affinity with the various forms of agnosticism so popular in Britain and in the United States, which can be summed up with the formula "I think that I am right in my own ways and, although you differ from me, you're right in your ways. So we're both right and wrong—let's make it, therefore, fifty-fifty."

The "fifty-fifty" does not necessarily apply to the Asian scene, since it is more the product of a commercial civilization bent on compromise than of a subjectivist relativism shying away from absolute values and statements. Yet in the meantime the Soviets are making hay because of this attitude.

I approached India via Ceylon. First I stayed in a rather posh hotel in Colombo into which I had stumbled inadvertently and where a huge Soviet trade delegation spent happy days. Then I went on to Kandy's one and only swank hotel, which harbored a simply super-colossal Rumanian cultural mission producing folk-dances for the Singhalese and Tamil population of that Holy Buddhist City. Their stay must have cost a fortune, and countries like Denmark, Belgium or Austria—all with a much higher standard of living than Red Rumania—would never dream of courting the Ceylonese in such a costly way. (Just imagine the acrimonious debates about waste in the respective parliaments!) There can be no doubt that the simpler minded Ceylonese will view the Rumanian folk dancers with admiration and awe; after all, they have come "voluntarily" from a faraway "people's democracy" to build a golden cultural bridge between the sanctuary with Buddha's tooth and the fair land which gave birth to Dracula and to lovely Ana Pauker.

# *It's Still Happening in Pasadena*

**American conservatism's leading humorist tells how Pasadena's victorious conservatives purred, snoozed, and succumbed to harrassment by NEA's local guerrillas**

MORRIE RYSKIND

Vesuvius is quiescent and Popocatepetl is dormant, but Pasadena, which first belched fire and smoke almost a decade ago, still erupts almost daily; and, for my money, its inhabitants are the hardiest breed of Americans extant. They know that molten lava may pour down on them at any moment; they are beset with internecine warfare and feuds that make the Hatfields and the McCoys seem in contrast to be the heroines of a Louisa May Alcott novel; they are surrounded by smog; and Paul Hoffman resides in their very midst. If they moved but a few miles west, they could enjoy the law and order of Los Angeles or my own Beverly Hills; to their east lies the happily-named village of Arcadia, the gateway to Santa Anita. Yet each morning the head of the household, after buckling on his armor and oiling his six-shooter, goes dauntlessly to his office; and, the fates and the freeways permitting, returns each night to his frontier home.

## *The Goslin Story: 1948-50*

Every goodliberal (that's one word, please) still remembers with shame the series of events that set off the first eruption and resulted in the martyrdom of the sainted Willard E. Goslin. No one could have suspected America's own Dreyfus Case was brewing when Brother Goslin, one of the most devoted torchbearers of the National Education Association, came to Pasadena in 1948 as Superintendent of Schools to bring enlightenment to the benighted city.

In no time at all the good friar, with the aid of a carefully selected group of the faithful, had made certain strategic shifts in the school curricula by stressing some new subjects and *un*stressing some old ones, with the noble purpose of turning Johnny into a Happy, Adjusted, Secure Human Being. And he mixed common sense with his idealism: he got himself a publicity spokesman so that the community should realize just how much progress was being brought to it. (The press-agent himself was so progressive that he had been editor of *Progressive Citizens*, the journal of an organization so progressive that a Senate Investigating Committee had cited it as subversive.)

And the press-agent delivered superbly. Night and day, he arranged for the Rev. Goslin to preach his version of the True, the Good and the Beautiful before PTA groups, Rotary Clubs, Chambers of Commerce and Leagues of Women Voters; and, wherever the prophet spoke, hundreds hit the Sawdust Trail. The more prominent of the converts were immediately placed on a committee—the indefatigable Goslin had created fifty-two different committees—to taste the joys of Group Dynamics.

Utopia had just about arrived when the infidels began a vicious campaign of slander and character-assassination. The reason Johnny was so happy and secure, they asserted, was that it didn't matter whether he did his homework or not: promotion, under the New Order, was automatic. They produced statistics to indicate that Johnny wasn't reading or writing as well as he had been B.G. (Before Goslin), and that he didn't know *what* to do with a column of figures, let alone add them correctly. To hell, they blasphemed, with the Holy Trinity of the Relatively True, the Progressively Good and the Collectivistic Beautiful, and they raised aloft the unholy banner of Baal and the Three R's.

To their eternal credit, many of the recently baptized remained true to the New Revelation. But the overwhelming majority, inflamed by the voodoo doctors' appeal to their ancient prejudices, shed their thin veneer of civilization and went berserk, slaughtering the Rev. Goslin and his cohorts—at the polls, that is. His proposed new budget was defeated by a two-to-one vote in the bloody 1950 Election Day uprising that has been compared to the Massacre of St. Bartholomew's Day and the Kishinev Pogrom. Goslin himself barely escaped with his life—and a handsome settlement of his contract.

The whole horrible story was told in *This Happened in Pasadena*, a best-seller—listed as fiction in conservative libraries, and as history by Liberals—by David Hulburd. Fact or fiction, its impact on the civilized world was as great as that of *Uncle Tom's Cabin* in its day. The *People's Daily World* donned sackcloth and ashes; a mournful jeremiad appeared in *McCall's;* and Dr. James B. Conant keened openly in the *New York Times*. The American Jewish Committee and the Anti-Defamation League wrote tracts pointing out the flagrant violations of the Old Testament Commandments; and no less a personage than Carey McWilliams did likewise for the New Testament in the pages of the *Christian Century*. And the American correspondents for the foreign press, nearly all of the Liberal persuasion, spread every gruesome detail of the whole affair over the globe. U.S. prestige fell to so low a point that it is doubtful that even the intervention of federal troops in Pasadena could have salvaged it.

The NEA is not an organization that takes counterrevolution lightly. Individually and collectively, its members kept turning out articles and tracts and Letters to the Editor at-

tacking the barbarians of Pasadena. On campus and off, they thundered *"J'accuse!"* When they gathered for their 1951 convention, they cited Goslin's ousting as a horrible example of the fascist plot to destroy America's public schools. They proclaimed a period of national mourning and made a ringing promise that the NEA would return to Pasadena.

### *Guerrilla Warfare: 1951-1956*

And return it did. St. Bartholomew's didn't wipe out Protestantism, the Jews have survived not only Kishinev but Hitler, too, and the Election Day Uprising did not obliterate Goslinism. There were survivors on the School Board itself; the vast majority of the teachers and school administrators, though compelled to take oaths of allegiance to the conquerors, gave only lip-service—their hearts still belonged to Daddy Goslin; there was—there always will be—the hard core of the Presidium of that Interlocking Directorate that speaks so authoritatively for all Labor, all Religion, and all the so-called Minorities; there were still the One Worlders, the UNers, the ADAers, the League of Women Voters, and the hybrids of Modern Republicanism.

Under the very noses of the victors, the losers met to bathe their wounds, comfort each other and plan their future strategy. They could not afford, they realized, a frontal attack; they must conserve their forces till they had rebuilt their strength. Out of their mullings came a master Five-Year Plan. The basic strategy was to be that of Lawrence of Arabia, who had shown how a highly disciplined army could defeat a numerically superior foe by destroying the latter's will to win in a long, purposely drawn-out guerrilla campaign. There would be a sortie in the north, a sally in the south, a raid in the west and an ambush in the east: constant harassment, harassment, harassment. And they were to employ Walter Reuther's tactics, which he uses so successfully at the bargaining table: never attack all the big guns at once, but pick them off one at a time.

What helped was that the enemy cooperated so beautifully. In the first flush of victory, they celebrated and reveled like the Hessians at Trenton, then purred contentedly and went to sleep. Deeming the war over, they turned their swords into AT and T shares and went back to their routine tasks of coupon-cutting and divot-digging. A call to arms in the early years might still have awakened them, but the guerrillas trod softly as they infiltrated behind the enemy lines.

The sorties and the sallies began, but the Liberals kept the actions so spaced out that any connection between them could not be traced. And wherever they went, they left the time-bombs of psychological war: rumors that were spread, and NEA pamphlets that were quietly read. Harassment, harassment, harassment.

It was a slow process, but a sure one. Year by year, the erosion grew clearer. The victors found their victory tasteless and stopped reminiscing about it. They began to realize that, though they had won a battle, they had lost in the court of world opinion. They didn't like being whispered about and pointed at; they didn't like it when their children came home from high-school and college bull-sessions to ask them scornfully whether they had had a hand in burning Goslin at the stake; many of them read *This Happened in Pasadena* all the way through and developed guilt-complexes. Some, yearning for the mantle of respectability, deserted to the Liberal side and were given the reception due the prodigal; others, not quite ready to break with their shameful past, adopted the course of neutralism.

Finally, only the fanatics remained: they roamed the countryside crying their call to arms, but people were tired of the wolf they didn't think was there. And even if there *was* a wolf, they were prepared to coexist with him. Anything was better than war.

Meanwhile, tirelessly, the Liberal Establishment had been jabbing away. They drilled constantly; ammunition and funds kept pouring in from their sympathizers; they organized groups—large groups, small groups—interested in Good Government, Sound Education, the Well-Rounded Child. And, came the School Board Election of 1957, they were ready to come out in the open and strike.

### *The 1957 Election Putsch*

For the campaign they put up a slate of three—there were nine candidates in all—and behind them they put the whole force of the Establishment. Labor leaders came trooping into the fray, crying that the Three R's were the death knell of the American workingman; Liberal ministers and rabbis who had had the benefit of private audiences with the Lord revealed that He was behind the Liberal Slate and only the fact that He was not registered in Pasadena prevented His voting for them.

Give the Lord and the Labor Leaders due credit, but the fact remains that the big guns in the Liberal Sweep of 1957 were fired by the teachers and the school administrators. True, there are provisions in the California Education Code that specifically forbid them to participate in partisan political activity during school hours, but this was Armageddon and they pulled no punches. I am no expert on law, but I have just finished some hundred or so pages of testimony—some given willingly by parents, most of it given reluctantly by the school staff—and three points are abundantly clear:

1. Faculty meetings (where attendance is compulsory) were called in almost every school in Pasadena. At these meetings the teachers were exhorted to vote for the Liberal Slate and to contribute money to it (and they did—in amounts ranging from one dollar to a hundred). They were provided with campaign literature and postcards and urged to send them out.

2. Posters advocating the election of the Three were posted on school bulletin boards.

3. Some teachers turned their classes—French, history, whatnot—into propaganda forums for their candidates. I cite the testimony of one mother:

> Q. You are the parent, Mrs. Richardson, of a child at the La Canada Junior High School?
>
> A. Yes, I am. Of two children.
>
> Q. You are aware of the fact that charges have been made in connection with some of the faculty of La Canada?
>
> A. Yes, sir.
>
> Q. Now, apparently, you have some information to offer in connection with this activity. Will you please tell us what you know?

A. Two Mondays before the election, my daughter from seventh grade came home from school and told me "Do you know what Miss S..... did in class today? She wasted a whole hour of our time telling us about three candidates for the election and then we had to sit down and address cards for those candidates." Then, in the ninth grade, two of the teachers lectured to their students and told them of the advisability of having their parents vote for those same three candidates and if you don't and if any other candidates are elected, from now on all you'll have in school will be reading and writing and arithmetic. There will be no music, there will be no art work, there will be no gym, there will be nothing except reading and writing and arithmetic, unless your parents elect these candidates.

Q. Where did you get your information?

A. From my son, who is in ninth grade.

This, I submit, is precinct work at its highest level. It beats ringing doorbells, because no kid is going to slam the door in your face. And it paid off handsomely. Nobody had to sit up late awaiting returns on June 7, Election Night, because it was just no contest. The Liberal Slate swept the board and Pasadena, at long last, had cast off the chains of Anti-Intellectualism and redeemed itself and the NEA. *The Truth is great, and shall prevail!* Selah!

## *Fly in the Ointment*

If only I could close the story on this Happy Ending, wind up my little homily on this High, Moral Note! If only Mrs. Richardson hadn't opened her big mouth! That same archaic State Code that forbids teachers to conduct political propaganda contains a section that declares that any school board condoning such violation may have the state and county funds allocated to it withdrawn. The complaints of Mrs. Richardson and her friends finally forced the lame duck Board—the Liberals would not assume office till July 1—to hold a hearing on some of the charges that were being made about the teachers' activities. And they asked Mr. William E. Lamoreaux, of the County Counsel's office, to sit in with them. Indeed, the Los Angeles Grand Jury, to whose attention some of the goings-on had been called, recommended in an interim report that the matter be investigated and that charges should be preferred against any violator of the School Code so that he or she might be appropriately disciplined by suspension or discharge.

The hearings—and I remind you that I've just finished reading one hundred or so pages of them—bring out substantially the three points previously outlined. They also disclose a curious medical fact that I leave to the AMA to speculate about: the teachers of Pasadena suffer acutely from that strange endemic disease that has attacked so many of those appearing before the McClellan Committee and which I hereby christen witnessitis. The symptoms are now familiar to all of us: there is the sudden illness which often prevents their appearance at a hearing, and the acute amnesia that manifests itself when they do take the stand. At any rate, the number of teachers who had been to the required faculty meetings but couldn't remember what they had been about; who couldn't recall what the speaker had said; who weren't sure whether they took any literature or had contributed any money then or thereafter; who weren't sure how the campaign postcards got into their rooms; who hadn't even read the cards they distributed: all these give one to think. (Overcrowded classrooms and low salaries, I would venture, but then how do you explain Dave Beck?) But nobody, you will be glad to hear, took the Fifth Amendment—the Board hearings were not held under oath.

I cannot leave the minutes of the hearings without reference to the statesmanlike attitude of one of the administrators, himself not connected with any of the alleged transgressions. He did not condone what the teachers had done, but he argued that exposure and punishment could only hurt the community and the open washing of dirty linen only endanger the standing of the city schools. Temper justice with mercy, he pleaded eloquently, sweep the dirt under the carpet, forget the whole thing, and save the children!

But, alas, the Board was held to the statutes. Mr. Lamoreaux had long conceded that the activities violated the law and that he could not defend them, if called upon to do so. So, to save the school funds, three heads rolled: Dr. Stuart F. McComb, the Superintendent, went the way of his sainted predecessor and had his contract settled; and two teachers were demoted. Even in victory, the Establishment had its martyrs.

## *The Liberal Board*

July 1 finally arrived, and with it the Liberal Three came to power. They had only two holdover incumbents to sit with them, both conservatives. But one of the conservatives resigned, and then there was one. By a vote of three to one, the Three filled the vacancy by appointing one of their campaign followers. That made it four to one, the one being Edgar Barratt, who may go down in Pasadena history as the Great Dissenter.

And then, by a vote of four to one, they proceeded to undo the stupidity of the previous board. They invited Dr. McComb back, but he had already accepted another position at the University of Southern California and was unavailable. But they did reinstate to their old positions the two teachers who had been demoted. And there, at last, is your Happy Ending.

## *Postscript*

But wait. This is Pasadena, where anything can happen and does. On Oct. 29 the volcano, after a few months of quiet, erupted again when Caryl G. Sheldon, a well-known Pasadena attorney, filed a taxpayer's suit in Superior Court against the Pasadena School District, the Board of Education, and its individual members. Mr. Sheldon recites the old charges of illegal electioneering, complains that the new board refused to conduct an investigation, and asks the court to determine whether such an investigation should be ordered and whether the school funds, loss of which might cost the taxpayers several millions of dollars, are in jeopardy. Promptly, Mr. Lamoreaux (who, no matter how he feels, must defend his client) filed a demurrer, and moved that the action be dismissed. The Civil War is on again.

## *P.P.S.*

On November 15, the Los Angeles County Grand Jury presented the following resolution:

(*Continued on p. 207*)

# *To the Rescue of Congress*

**With bureaucrats, excess of appetite grows by what it feeds on: money and power. The problem is, how to restore legislative control over Agency Budgets**

CORNING WHITE

The President of the United States has asked Congress to give his multitudinous Administrative Agencies the money with which to operate during the fiscal year starting July 1. His request is embodied in a document of some 1,300 printed pages, listing thousands of individual items for which money is to be spent, and called the Administrative Budget. All of the $73.9 billion asked for must come out of your hide and mine. It is high time, therefore, that we understand that much of this spending is sheer waste, why Congress is presently unable to control it, and how it can be curtailed.

When Mr. Eisenhower asked Congress last spring for the then all-time high figure of $71.8 billion, both Congress and the public were outraged, for his request provided for an increase of $4.5 billion over the previous year—for Agencies *having nothing whatever to do with defense.* Most of the more than $2 billion increase the President is now asking for will go for defense. But the unprecedented demands of the non-defense Agencies are again increased. Few of us will object to spending whatever may be necessary to safeguard our national existence, but why—*why,* in view of the additional amount requested for this, must we allow the non-defense Agencies to get away with still further spending?

There are four main reasons why each successive year these non-defense federal Agencies demand, and get, more of our money. First, the more the bureaucrats can spend the more they can collect in salaries. Second, the activities of our non-defense agencies have become so far-flung and complex that Congress is often unable to distinguish, among the thousands of individual items in their Budgets, those which may be useful from those which are patently wasteful. Third, this situation is further aggravated by the Agencies' budget-making methods and by the complaisance of the Budget Bureau in permitting them to "get away with murder." And fourth, Congress itself has no adequate machinery for uncovering how and where unnecessary Agency spending plans originate, since they appear skilfully camouflaged in 1,300 pages of figures and bureaucratic doubletalk.

Unfortunately, the first three of these situations could be ameliorated only by the Herculean task of indiscriminately killing the Agencies. But a simple change in the operation of our federal fiscal machinery, giving Congress the help it needs to spot Agency extravagance, both when the Budget is first being made up and again when Congress receives it, would go a long way toward protecting us against this bureaucratic exploitation.

## *How to Get Ahead*

One can't blame the men in the Agencies for trying to expand their activities. The Civil Service Commission claims to the contrary notwithstanding, the one sure way for any bureaucrat to get ahead is to dream up new ways to spend more money. By expanding his group's activities he can ask for more personnel. By acquiring more personnel he can get Civil Service to upgrade his job. By having his job upgraded he increases his own salary. That's exactly how the system operates. I've served in four federal Agencies and I know. Our government Agencies will never, but never, curtail their spending voluntarily.

Again, in recent years the Agencies have been allowed to expand to such an extent that it has become almost impossible for Congress to comprehend all their activities and to evaluate them. It took the Hoover Commission, aided by several leading management consulting firms, years to find out what these government Agencies really are doing.

Then too, Agency budget-making practices increase still further the difficulty of putting a stop to their unnecessary spending. True, the President may order his Budget Director to ask an agency head to "go slow." But our budget-making system makes this very hard for the Agency head to do. He is under terrific pressure from the hundreds of bureaucrats working for him to expand his Agency's activities. They exert this pressure in the budget requests they submit to him. An Agency's Budget is made from the bottom up rather than from the top down. At each ascending rung of the bureaucratic ladder, the supervisory personnel on that rung try to assign to their respective groups all the additional activities they can dream up, along with additional personnel to carry them out. This creates a stupendous inverted pyramid of activity and spending. So gigantic have some of these Agencies now become that even their own top men have only the haziest notion regarding the work they do. These men thus become victims of the expansionist desires, and artfully hidden payroll padding, of their own subordinates.

There is a general impression that the Budget Bureau exists to control agency budget-making and to protect us against unnecessary Agency expansion. That is what Congress created it for. But it is not the way the Bureau now functions.

Back in 1921 Congress created the Budget Bureau to introduce some order into Agency budget-making, to scrutinize Agency expansion projects, and to urge elimination of those not really needed. Originally this Bureau was assigned to the Treasury Department, which made some sense. For

the Treasury Department has the very tough job of finding the money to pay for the projects the Agencies undertake. With few exceptions, our Secretaries of the Treasury have been businessmen with a wholesome respect for the taxpayer's dollar. As long as the Budget Bureau operated under the watchful eye of the Secretary of the Treasury, it kept the Administrative Agencies from unduly expanding.

But in 1939 Congress allowed the Budget Bureau to get out from under the watchful eye of the Treasury Department and to set up shop on its own as an independent Agency, coordinated with Commerce, Interior, Labor, etc. Under this setup the Director of the Budget Bureau became a member of the team of spending Agencies, and his inclination was to help his pals. Having *no* responsibility to Congress, the Budget Bureau is not interested in helping it discover the unnecessary projects skilfully camouflaged in budgetary estimates.

Having worked on two successive Agency Budgets, I have had dealings with Budget Bureau personnel and I know their attitudes. They are unwilling to tangle with Agency executives over appropriation requests. And the Congressional Appropriations Committees, lacking analysis personnel, are quite unable to dig out of the mass of figures presented to them the adroitly hidden unnecessary expenditures contemplated.

I attended the Congressional Committee hearings on two Budgets which I knew provided for substantial waste, but so cleverly was this concealed that the Committee members never succeeded in uncovering it. As Senator Byrd repeatedly has pointed out, if Agency extravagance is to be controlled it must be uncovered for Congress in the early stages of budgetmaking. It can't be dealt with effectively after the Budget has been made up.

## *The Problem of Control*

So what can be done to give Congress better control over Agency extravagance at the planning stage? Fortunately, an organization highly suited for this job already exists, but unfortunately it has no authority to act. This organization is the General Accounting Office, created in 1921. It is responsible only to Congress. Its personnel are permanently assigned to Administrative Agencies to supervise the expenditures of appropriations made for specific purposes. The GAO has put a wholesome fear of the law into Agency bureaucrats who formerly used their appropriations as they might see fit. But the GAO has never been given authority either to work with the Agencies in making up their Budgets or to assist Congress later in analyzing these Budgets when they arrive in their final form. This is a weakness that reflects itself in the helplessness of Congress in controlling the Budget.

The present personnel of the GAO, through years of experience in checking Agency expenditures, are quite familiar with the Agencies' activities and their budget-making shenanigans. Further, being responsible only to Congress, these people could not be intimidated by Agency threats of reprisals. In short, the GAO, if given the authority to question Agency appropriation requests when these first originate, and to help Congress analyze the budget when it finally arrives, could restore to Congress the control over Agency spending it enjoyed before the Administrative Branch of our Government became so colossal. A simple law giving the GAO that authority would go a long way toward giving back to Congress the control over the public purse contemplated in the Constitution.

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PASADENA

(*Continued from* p. 205)

WHEREAS, the 1957 Los Angeles County Grand Jury has received a substantial number of complaints from parents of school children and other citizens objecting to the injection of partisan politics in our public school systems; and

WHEREAS, an inquiry has revealed that public school teachers in classrooms advocated particular candidates for office, and during school hours not only encouraged students to influence the decisions of parents concerning elections, but to actively participate in political campaigns; and

WHEREAS, it appears that this type of activity by public school personnel is prohibited by the Education Code, but without penal provisions;

NOW, THEREFORE, BE IT RESOLVED that the 1957 Los Angeles County Grand Jury urges the California Legislature to enact legislation with a view to provide penalties for violations of this nature.

JAMES SHELDON RILEY, *Foreman*
*Los Angeles County Grand Jury*
MRS. WALTER W. TRASK, *Chairman*
*Schools Committee*
MRS. JEANETTE G. KIRMAN, *Secretary*
*Los Angeles County Grand Jury*

## *P.P.P.S.*

On January 29, 1958, Superior Judge Eugene Breitenbach overruled the demurrer presented by Mr. Lamoreaux, denied the motion to dismiss and directed the County Counsel's office to answer the charges within ten days. As I write this—February 11—the County Counsel has asked for and received an extension of time. The case is now in the courts and we can all be certain, no matter which side we favor, that justice will triumph—unless, of course, it gets to the Supreme Court.

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# From the Academy

**RUSSELL KIRK**

## *The Playing Fields of Saginaw*

Waterloo was won on the playing-fields of Eton, according to Wellington; but Wellington himself, when an Eton boy, played only croquet. Although athletic habits may have something to do with military prowess, even in the twentieth century, nevertheless the American soldier is in need of an accomplishment a good deal simpler than skill at football or cricket: he needs to learn how to walk. The average American civilian, except for the shopping housewife, scarcely walks three or four miles a week, nowadays; and if he realized he walked even so much, he would think himself abused. Our infantrymen in Korea were at a dread disadvantage before the guerrillas in the Korean hills. Without jeeps or command-cars, they were immobilized, at least until bitter experience had taught them how to use their legs.

Yet there is a good deal to be said for athletics in school as a means to bringing up a hardy youth, prepared to defend the country. The question of national defense, however, was not raised in a recent interesting discussion of school athletics held by the Parent-Teachers Association in Saginaw, Michigan.

The cause of this meeting was an endeavor by the Saginaw board of education to introduce contact football as a required part of the Saginaw schools' physical-education program. The principal champions of this scheme were the Superintendent of Schools, Mr. Charles C. Coulter, and Mr. Glenn E. Mason, Assistant Physical Education Director. There was considerable opposition, even from panelists whom the school authorities had recruited to discuss the plan. A Dr. Kolesar, formerly a lineman for the U. of M. football squad and later a pro with the Cleveland Browns, was in favor of required football, but only the touch variety in junior high: "Make it part of the curriculum whether they want it or not, so they can at least enjoy it when they're watching it." A Mr. Sage, of the Michigan Mental Health Society, went so far as to suggest that the emphasis on school athletics is usurping too much of the student's program: "Some day we as parents are going to have to decide how our children use their time."

Football uniforms cost sixty to a hundred dollars each, and some parents had this in the back of their minds. And would there be need for more "plant"? Oh, yes; most school authorities are always in need of more plant. Assistant Physical Education Director (coach, to you and me) Mason said that the locker rooms and all that would have to be enlarged—or new ones built; but then, Saginaw ought to have new ones, anyway.

Matters didn't go so swimmingly as the school authorities may have hoped. According to the Saginaw *News*, some parents "wanted to know if the money to be spent to set up ninth-grade football couldn't better be spent to improve the curriculum. Dr. Kolesar [of the Cleveland Browns, remember] told these women that any form of organized recreation gave benefits to those participating."

Well, that's simple enough, isn't it? Plenty of benefits in football: so forget that "improving the curriculum" frippery. The boys can enjoy watching football later, anyway, if you make them play now. Nothing was said about requiring anything else in the curriculum: just compulsory football. To require much of anything else would be undemocratic and unprogressive, you know. Michigan law, incidentally, requires just two courses to be taught in high schools: civics and physical education.

Now of course a case might have been made at the meeting for physical training, if not for football itself, as preparation for defending the nation in this time of troubles. But apparently no one mentioned that obscure and disagreeable matter. Athletics are for fun, just fun; and that's what school is for, isn't it—fun? If not fun for the pupils, fun for the grownups who go to the school games.

A superintendent of schools in a Michigan small town tells me he is aghast at the group-hysteria and misplaced enthusiasm of the crowd of townsfolk who come to the night basketball games. Those games, indeed, are their principal—almost their exclusive—interest in the school. Some of them would be quite content to have "subject-matter courses" abolished altogether, so long as they could have the fun of going to the night games. Here in my own Michigan village, the school has erected a large and conspicuous signboard at the entrance to the school grounds, listing all games with neighboring schools, to stimulate local interest. What's a school for, if not to give the community a good time? And nobody has to pay much—except through taxes. Some of the ladies of the Saginaw PTA commended football because it kept their boys in school; otherwise they might have dropped out, at sixteen, having little interest in school or aptitude for it. And that, of course, would have been a great pity.

So it is somewhat heartening that strong dissenting voices were heard at the Saginaw meeting. Time and money might be better spent by schools, some people hinted, than in an expensive and purposeless athleticism. Here is this nation, at the crisis of its fate; the NEA and all those folk are crying out that our schools are desperately in need of money, to save us from Tophet. And what do the schools need that money for? Why, according to the Superintendent of Schools at Saginaw, to build locker-rooms and buy football uniforms, for "the benefits to those participating in any form of organized recreation."

Matters probably will get worse before they get better. Yet I venture to hope that a day may come when a city superintendent of schools may discover that he has more urgent problems with which to deal than the introduction of contact football into the ninth grade; and when, if he doesn't recognize any such problems, the PTA people and others will begin looking for a new superintendent.

# What More Do You Want?

HUGH KENNER

Four hundred and fifty-nine + xviii pages on fine opaque stock; sixteen plates in gravure; a Foreword reprinted from the *Boston Globe* ("He towers above a generation of lesser, more fearful bards who flinch . . ."); half a dozen sub-introductions (". . . essentially an accepting, yea-saying psalmist"—T. K. Whipple; "Dear Carl: I read your fairy tales nearly every night before I go to bed"—Frank Lloyd Wright; "Picturesque in his long, prematurely gray hair, his speech and his gentle roughness, he colors up a living room immoderately . . . you should have heard him sing the night he made Sinclair Lewis cry"—Lloyd Lewis); a Publisher's Note; and—oh, yes: "for the first time in one volume a representative selection from the entire work of one of America's most distinguished and beloved writers" (*The Sandburg Range*, Harcourt, $6.00).

*—What more do you want? Poetry?*

Well, perhaps something more than this crafty oracular slap-dash:

> The people say and unsay
> put up and tear down
> and put together again—
> a builder, wrecker, and builder again
> —this is the people.

It's the kind of hokum that goes well at Women's Auxiliary culture-binges, everyone sitting very solemnly on folding chairs; and for the citizen who takes his poetry straight off the printed page, it offers the thrill (dispensing as it does with Edgar Guest's metrical paraphernalia) of reading something modern but not *difficult*. Mr. Sandburg's message can be reduced without serious loss to . . .

*—Here, I'm not sure I like your tone. He's one of America's great men. None of your genteel abracadabra nonsense for him. He stands up and lets you have it full in the face.*

Oh? I get the impression that he is a rather gentle soul.

*—Listen to what he says about Chicago:*

> Come and show me another city with lifted head singing so proud to be alive and coarse and strong and cunning.
> Flinging magnetic curses amid the toil of piling job on job, here is a tall bold slugger set vivid against the little soft cities.
> Fierce as a dog with tongue lapping for action, cunning as a savage pitted against the wilderness. . . .

*Could one of your poets with a fancy education have written that?*

I fancy not. Is it really so memorable?

*—Well I like it.*

By all means continue to suck on it if it gives you comfort. I was saying: Mr. Sandburg's message can be reduced without serious loss to a series of affirmative ejaculations; his prosodic skill is rudimentary, a mere feeling for the place to start a new line; his notions of structure extend no further than parallelism and accumulation. There is no resourcefulness of tone; everything is either proclaimed through a megaphone or mused over a guitar. Nor, despite his veneration of the folk, is his ear for idiom especially notable; everybody talks the same slow meditative anarchic prairie stoicism: nowhere anything comparable to the unquenchable élan of Dr. Williams' dovetailing-in phrases from "the speech of Polish mothers" actually heard.

*—All right, all right, who cares about poetry anyway? What about the Life of Lincoln? You won't shoot that down in a hurry.*

Why should I try? It's not a gas-bag, it's a sand-bag. Six volumes, a million and a half words, a staggering industriousness of documentation: newspapers, letters, diaries, pamphlets, proclamations, posters, cartoons; the soil tramped over, landscapes inspected, survivors interviewed. An unparalleled feat of preservation; and what does it say? That things go on, that history wreathes her apocalyptic patterns, that day succeeds day, effort effort, resolve resolve, like a file of newspapers; and that the tomb opens for all. It presents Lincoln, quip by quip and wart by wart, but it *says* things like that. This cult of the Civil War, its battles, generals, prisons, heroes, landscapes, is part of an effort to conceal the meaning of American history, to reduce it to parlor games, items for Ripley, and numb sensation. Mr. Sandburg is one of the notable heroes of that effort. He doesn't believe in meanings, he believes in the past as a reservoir of purely emotional nourishment.

*—How can you say such a thing?*

I have been reading his words. In one of his early poems he reduces "Happiness" to "a crowd of Hungarians under the trees with their women and children and a keg of beer and an accordion." He ends a chapter of his Autobiography with a web of questions which ran, he says, perhaps not through his mind but through his blood. "Dark and tangled they were to run in my blood for many years. To some of the questions I would get across the years only half-answers, mystery answers."

They are questions like, "What is this America? . . . Men have died for it—why? When they say it is a free country, they mean free for what and free for whom, and what is freedom?" Those are the words of a man who distrusts histories and propositions, who reaches for symbols and sensations, whose mind is furnished with bronzes by Saint-Gaudens in postures of statuesque inarticulate passion.

*—He's a poet, not a fine-tooth comb smoothing out principles.*

No poet, he's a baffled seer who wraps dignity and whimsy around his bafflement. There are two significant obsessions here: the Civil War, and

the People. The Civil War, according to the legend of which Sandburg is the most prestigious current spokesman, was the beginning of American history. The first President in whom we can take a meaningful interest is Lincoln, the transfigured hick. The American intelligence is a distillation of tall tales and backwoods homilies. Nothing that touches on principle or statecraft, civic intelligence or an enlightened culture as leisured as the landscape, can be allowed to matter. Jefferson seems a remote crank. We can ignore the government; what our congressman is for is to protect us from it anyway. Everything is grass roots: Leaves of Grass, enjoying as much of the sun as they can get while they can. Sandburg is the prairie Whitman of an age of photography and high-speed journalism.

*—He deserves more respect than that. The man has worked magnificently. He's eighty years old.*

He is; he dates from the era of the itinerant journalist. That's his tradition, as it was Whitman's. (Have you noticed how many of the men who have let their imaginations play on the Civil War, from Stephen Crane on, have been journalists?) We need a thesis on the nineteenth-century American rural journalist: sage, folk-poet, serial pamphleteer and clother of commonplace postures and impasses in inscrutable profundity. Look at Sandburg's Biblical rhythms, the buttonholing of the reader, the catalogues like banks of headlines, the interminable musings (the newspaper encourages that; it isn't final; another space to fill tomorrow or next week, plenty of time to carry this on).

*—You seem upset by this fine commemorative volume.*

Not at all. I don't blame him for the Sandburg cult. He's addicted to no more pretension than is inherent in the forms he practices. I'm sure he earnestly believes that the feel of ultimate wisdom is identical with the feelings he has when he ruminates on things being built up and torn down again. Let him have that belief. He didn't try to impose it. But let's not pretend that he opens a window on anything but the fact that there has existed in America the tradition of the journalist folk-oracle he today so anachronistically represents.

# Sense on "Backward Countries"

MURRAY N. ROTHBARD

"Modern" economics is essentially a flight from economic law, a frantic attempt to find some loophole, some escape hatch into a Cloud-Cuckoo-Land where rivers are filled with lemonade, and you can have your cake and eat it too. In the thirties, Keynes insisted that a world where unemployment existed reversed natural law. But after World War II, unemployment was no longer a problem, and economists were faced with the chilling prospect of returning to "classical" economics and, heaven help us, even *laissez-faire*. The human mind, however, is almost infinitely inventive in the pursuit of fallacy, and so the next fashionable step was the birth and flowering of still another "new" economics: the "economics of underdeveloped countries."

The Keynesian war cry had been: well, *laissez-faire* may have been all well and good in the old days at the beginning of the capitalist system; but in our modern complex economy, extensive government control is clearly necessary. Now, a new slogan was advanced: free enterprise may be all well and good for advanced countries, but the underdeveloped countries must have comprehensive government planning and heaps of American aid (governmental). We are left to wonder at precisely what point we are permitted free enterprise: when is the economy complex enough but not too complex?

And so there has developed a bewildering new economic specialty. It is a vague catch-all, and behind its copious skirts has descended a swarm of UN-connected bureaucrats and technicians: economists, sociologists, political "scientists," "Area" historians, cultural anthropologists, social psychologists, and assorted planners, battening like locusts off the already-harried backward countries. If an economist tries to refute this host, he is tossed aside as not being really familiar with the anthropological problems of Northern Zululand. For years, then, libertarian economists have been waiting for some St. George to slay the hydra-headed dragon. Ideally, he had to have certain high qualifications: thorough knowledge of sound economics, extensive familiarity with the concrete problems of the underdeveloped countries, libertarian political views, and impeccable academic credentials. And, above all, he had to have the fighting spirit to stand alone against the academic horde. Such a man has now been found. He is Peter T. Bauer, Professor of Economics at Cambridge University.

It is not difficult to see why Peter Bauer is a troublesome fly in the leftists' ointment. For not only is he a sound economist, a libertarian, a peerless academician, and a relentless fighter: he emerged on the scene after spending a decade burrowing into the most primitive areas of the undeveloped countries. While the UN dilettantes spent a few weeks at some plush hotel in the capital of a backward country, reading a few canned statistics and concocting foolish plans, Bauer pushed his way into distant up-country areas: into the rubber plantations of Malaya and the cocoa fields of interior West Africa. Bauer knows the facts, and so he can lick the alleged experts to a frazzle on their own chosen grounds.

Of the many books and articles that he has written in the last few years, his *Economic Analysis and Policy in Underdeveloped Countries* (Duke University, $3.00) is perhaps his best: certainly it is his sprightliest and most concise. The book is a set of three lectures delivered last year at the Commonwealth-Studies Center of Duke University, and it hurls a series of blockbusters at the myths so long cultivated about underdeveloped countries. Bauer shows, for example, how the official experts and statistics grossly neglect the rapid growth of private agriculture and trade. Typically, vast native smallholdings in groundnut farms are passed over in official data, while a tragically abortive government groundnut scheme is listed as an "investment."

Particularly cheering is his description of the superb rationality and

entrepreneurial drive of illiterate African and Asian natives, thwarted rather than aided by their governments. There is a gem of an attack on the current passion for economic forecasting, which Bauer likens to the burgeoning of oracles and astrologers in the decaying phase of the Roman Empire. And Bauer is daring enough to point out that the *quality* as well as the *quantity* of population needs to be studied: so that an influx of Lebanese entrepreneurs into the West Indies promotes the standard of living of the country, even though it may have been "overpopulated" in terms of the native inhabitants.

There is a fine attack on the theory of compulsory saving for development, and Bauer wryly points out that those who advocate heavy taxation for development (urban intellectuals, foreign experts) are not those who pay for it (largely native farmers) and, in fact, they gain positions of power and privilege in the bureaucracy. And Bauer warns the Left that inequality of *power* has been neglected in all the fuss about inequality of income.

In contrast, another recent book by P. T. Bauer and B. S. Yamey, *The Economics of Underdeveloped Countries* (Chicago, $2.50), is not as satisfactory. Addressed to a more academic audience, it hedges its conclusions with too many qualifications and too much utilitarian muzziness. Unfortunately, being one of the famous Cambridge Handbooks it may command wider acclaim, for in his Duke lectures Peter Bauer is at his distilled, pungent best.

# Waiting for Rebecca

ROBERT PHELPS

I SUPPOSE Rebecca West's new book *The Court and the Castle* (Yale, $3.75) should be described as literary criticism, but considering the blight that category implies these days, I'd rather be less exact, and call it a travel book, in which the landscape is made up of plays and novels from Shakespeare to Kafka. Miss West has a subtle enough aesthetic sense; but, what is more important, she reads with the assumption that the word, after all, was given to us for self-revelation. In fact, she takes literature as its greatest makers have taken it, —as a way of knowing, judging, even participating in the human race.

What concerns her in *The Court and the Castle* is power, and why Lord Acton was able to say what he did about it. Until the Renaissance, society ordered itself on the belief that there existed "outside this world, a system of values different from any established by humanity." Not only different, but better, and imminently perceivable by everyone. Therefore if a king betrayed the power entrusted to him, he was answerable not to his people nor his courtiers, but to this system which both he and they acknowledged.

Then came Renaissance man, with his revolt against this belief, and for the first time, as in Shakespeare's plays, an irresponsible king is faced not only with his own conscience but with a self-appointed usurper who takes the responsibility for power upon himself. From the Castle, where it had an absolute, ultra-terrestrial source, power now moved into the Court, where it became relative, and dependent on the faltering will and vigilance of individual men only.

A FEW SENTENCES of summary can't possibly do justice to the ingenuity and sprightliness with which Miss West traces this pattern through the literature of the next three centuries: showing Fielding's rakes, Trollope's prime ministers, Conrad's sea captains, Kipling's sentries, Henry James' discriminating watchers as all variants on this same effort of men of conscience to make disinterested use of their powers.

But it was all doomed, as Shakespeare saw from the beginning, since even the most enlightened and best-intentioned man who must answer only to himself will be prone sooner or later to abuse whatever power or privilege is vested in him. Thus, says Miss West, Hamlet himself, the most scrupulous and self-knowing of self-governors, is capable of willfully, mercilessly, sending Rosencrantz and Guildenstern to unshriven deaths. And whether or not Shakespeare was as conscious of his intention here as Miss West is, the point remains: man alone is not capable of the just use of power. Hence, in Kafka, she finds a poet who makes an about-face, and declares the impossibility of *not* acknowledging the Castle again.

LIVELY DISCUSSION, then, at the least; and if I have any reservation, it is about the last chapter. Not the one about Kafka, but the one Miss West did not write, the one in which she would have told us what she herself thinks about her theme. For instance, if she proposes Shakespeare as a counter-Renaissance man who thought Hamlet was wrong to try to dethrone his uncle, does she agree? Where, in other words, does Miss West herself stand? Only on the lecture platform, only in the press box, only with the professors, safely watching?

I doubt it. Or at least, I would not raise the question if 1) I didn't feel that, of all the journalists, pundits, weathervanes and blowhards with whom she is usually classed, Miss West is one of the few who are capable of committal, and therefore obliged to speak entirely, or not at all; and 2) her discussion had not persuaded me that the conclusion she imputes to Shakespeare is the truth we are all going to have to face, sooner or later.


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*Movies*

# The Bridge on the River Why

JAMES BURNHAM

PREVIOUS empires have conquered the world, but it remained for America to turn it into a movie set. The bright shadows of all lands where producers are lured by the *Zeitgeist* or unconvertible currency — Italy, Africa, India, Spain, Japan, Sumatra —illumine our emperor-size postwar screens. Often most splendidly, of course. These exotic "backgrounds" for Hollywood's formal repertory, with their geologic freshness, their costumes, masses and perspectives, their novel shapes for objects both living and dead, can open up, like an unfamiliar style of painting, new visual dimensions.

After a flying search four times around the world (according to a somewhat dizzying program note), Producer Sam Spiegel, who had already exhausted one continent for *The African Queen,* hit on the blue-green forested mountains, the paddies and brown streams of Ceylon for the setting of *The Bridge on the River Kwai.* For the setting, quite strictly speaking. The movie's dramatic locale is not Ceylon but Thailand. Mr. Spiegel, who by his own admission has "coined a ponderous phrase, 'the authority of authenticity,'" considered Thailand itself for his movie of Thailand, but did not, in the event, find it sufficiently authentic.

Mr. S's passion for authenticity does, in fact, keep popping up throughout *The Bridge on the River Kwai* (which is, as everyone knows, winning all prestige awards hands down). To cite one happy example: For the trip of the three-man commando unit through the trackless jungle, the friendly village chief (or whatever he is called in Thai) decided to supply four female bearers instead of the standard variety, because—well, just because. Now Mr. S. did feel he ought to have genuine Thai girls for this exacting service. And who do you think he got? Correct. The three reigning "queens of the thriving movie industry of Thailand" plus one other lovely creature who had just won a Thai movie contest. It may safely be added that these four are without question, from beginning to end of their perilous journey, the bearers with whom any man in any movie audience in the world would henceforth most like to take a jungle safari.

TO GET ON with the story, Japanese Colonel Saito, in command of jungle prison camp #16, must complete a bridge over the River Kwai—a link in the Bangkok-Rangoon military railway—by 12 May. British Colonel Nicholson (Alec Guiness) leads his captured men into the compound. Quoting the Geneva Convention, he and his officers refuse to do physical labor. Saito tries to talk, beat and sunbake them into submission. He loses the contest of wills, and capitulates to the bulldog when he sees that on his own he cannot meet his bridge target date. His majesty's officers—as supervisors, not laborers—take charge of construction, with Nicholson determined to show the Orientals how British builders build. Under his auspices, a massive structure ("larger," the notes inform us, "than any in Ceylon") is ready for the grand opening to the first Japanese troop train.

Meanwhile Shears (William Holden, current box-office world's champion), a sailor posing as a U.S. naval officer (or an officer posing as a sailor who poses as an officer—the implications were a little hard to follow here) has managed a reputedly impossible escape from the camp to—of all places —Ceylon (Ceylon thus becoming, for a half reel, the setting for itself, in a double mirror effect). While kissing a rather wooden blonde girl, Shears is dragooned into Force 316, a British commando group training, by good luck for the audience, in Ceylon's marvelous botanical gardens. Shears is to lead Major Warden (Jack Hawkins) and a useless young prig named Lieutenant Joyce back where he came from, in order to destroy the Saito-Nicholson bridge, preferably just as the first troop train is crossing.

Arriving on schedule with the help of the four gorgeous bearers, they blow up the bridge, train and everything else in sight, including Colonels Saito and Nicholson, and themselves. (The bearers, fortunately, escape undamaged, and head for the hills.)

NOT A BAD libretto, as a matter of fact, and it might have run a sound race if Mr. S. could have resisted the impulse to load it with so much extra horsepower, chrome and tail fins. He squeezes every scene down to the last shred of dried pulp, so that there is nothing left for the thirsty heart. Locked in Colonel Spiegel's cinematic compound, we are compelled to march *every* step from jungle to command post (whistling like Britishers *every* minute of the way), look at *every* sore on *every* soldier, place *each* lump of plastic explosive on *every* bridge pier.

All this tinsel is the more pointless because in Pierre Boulle's story there really are ideas that advance to the brink of art. The "reversals"—Shears' having to return to what he incredibly escaped; Saito's having to get his prisoner, Nicholson, to fulfill his mission—are in the Aristotelian canon. The bridge itself, the central symbol —if it were permitted to be a symbol —is potentially of art's magical order, leading toward, though it is not allowed to reach, a deeper reversal both dramatic and serious in its irony.

Nicholson's duty, as in his obsession he comes to understand it, demands that he shall build the bridge, and the best bridge that he can. With equal absoluteness, once the fine bridge has been completed, duty declares that he should rejoice that it is —at that very instant of completion— destroyed by the courage of his unknown countryman. Released to soar at its own pitch, this is surely a symbol whose meaning could expand to fill the frame: for what is that bridge but the life work of everyman? and what the explosion, but the work's fated ending at the moment it is achieved?

But Mr. S., alas, ties down his central symbol, also, with his chains of "authenticity" and platitude. "Madness, madness," mumbles the egg-headish doctor over the debris, in an epitaph that is supposed to give this movie an "anti-war message." The bridge as symbol is buried in the mass of falling timbers and bloody bodies.

# BOOKS IN BRIEF

DER SEEKRIEG: The German Navy's Story, 1939-1945, by Vice Admiral Friedrich Ruge (U. S. Naval Institute, $5.00). Admiral Ruge has produced a quite readable and exciting account of the little-known battle for the Atlantic. It is little known to us because we have considered it of comparatively minor importance. But from the German point of view it was, in retrospect, decisive. In two wars, Germany was a *naval* power of great importance which made erratic but sometimes brilliant use of its fleet. But neither Imperial nor Hitlerite Germany was ever, like Britain or the United States, a *sea* power. Never did the land-locked mind of the General Staff properly assess the value and/or danger of the sea in strategy. It is not too much to say that the price of this strategic seasickness was defeat. It was Anglo-American sea-power that made the countless German victories lead always away from victory. As Churchill noted, the British Navy could not alone win the war—but it could lose it. Without the nullification of this great British advantage, the Germans could not eliminate their most implacable enemy. Not even, like Napoleon, by invading Russia. There is in this melancholy recount an important lesson for us: Russia is a land power, building a formidable navy. As a sea power, are we not paying too little attention to ours?

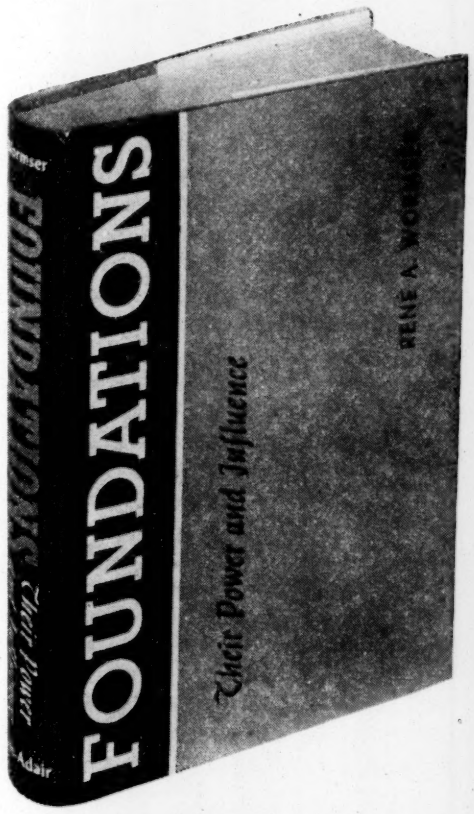
J. P. MCFADDEN

CORRUPTION, by Nicholas Mosley (Atlantic, $4.00). Henry James once cautioned novelists against overfilling what he called a character's "vessel of consciousness." There is just no story to tell about over-interpretive characters whom nothing can bewilder. Mr. Mosley, who has gained much from James stylistically, has not profited from this advice. When Mosley's Robert Croft begins his quest for Kate, he is laden so low with "consciousness" that he must sound the depth of each personality he comes across. Some are too shallow to arrest a reader as long as they do him. Several others—notably Kate's son Julius—are deeper objects and justify the expert Jamesian probing.

J. L. WEIL

AN INTRODUCTION TO WESTERN PHILOSOPHY, by Russell Coleburt (Sheed & Ward, $4.00). This little book, modestly intended to be no more than an introduction to the major tendencies and problems of modern philosophy, neglects but one fundamental: the profound influence exerted on all educated men since the Renaissance by the conception of the scope and function of philosophy that was developed by the New Academy and transmitted by Cicero. Mr. Coleburt writes lucidly and critically. He begins with a warning that he is a Christian, so no one can properly complain because he frequently shepherds his reader toward a slightly modified Thomism.

R. P. OLIVER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# To the Editor

### *Acheson and Kennan*

It was a pleasure to read [February 1] the two editorial comments on the fraternal dispute between Mr. George F. Kennan and Mr. Dean Acheson.

In relation to these editorials, I believe that my article "The Real George F. Kennan" which appeared in the *American Mercury* of March 1952, was the first open critical analysis and exposé of Mr. Kennan's views as the so-called "foremost American expert on Soviet Russia."

In the *Mercury* article I quoted Secretary of State Dean Acheson's statement of 1949 that he "doubted that there is a more intelligent man in America today than George Kennan." Today, in 1958, Mr. Acheson describes his former chief of policy planning as "mystical and unrealistic." It seems pertinent now to inquire publicly whether Mr. Acheson sincerely believes that a man who is both mystical and unrealistic can be among the most intelligent men in America.

*New York City* ALICE WIDENER

### *Agencies Regulating Industry*

Congratulations on your editorial "Why Not Abolish the ICC [February 1], but why stop with ICC? While the Interstate Commerce Commission seems intent on bankrupting the railroads, the Civil Aeronautics Board seems equally intent on bankrupting the airlines, which are already having difficulty in raising funds to modernize their equipment, and the Federal Power Commission is harassing the natural gas and pipeline companies so they are having difficulties in raising the money to finance the additional facilities required to meet the growing demand for natural gas.

It is estimated that these national executive regulating agencies now cost the taxpayer over three billion dollars a year. For this three billion dollars the taxpayer has bought the doubtful privilege of paying higher prices for the goods and services of the controlled industries because these agencies have . . . tied up these industries in red tape, and forced on them uneconomic and costly methods of procedure and operation. . . .

These regulating agencies are created by an enabling act of Congress. This enables them, by issuing rules or laws, to control the actions of the American people within certain areas of economic or industrial activity. Actually, Congress delegates its law-making powers to the Executive branch through these agencies. These agencies have now multiplied until approximately 60 per cent of the laws of this country are written by them. These laws are made with little regard for the inherent or constitutional rights of the American people to free, self-determined activity. . . .

Such law-making by executive agencies cannot be permitted in a country that intends to remain free.

*New York City* G. SUMNER SMALL

### *In Praise of Uruguay*

Your article about Uruguay in the February 1 issue was extremely well written, positive in its conclusions, and much too facile in finding a scapegoat for the nation's current economic troubles.

I hardly expect the editors to hold my view that without social legislation modern industrial life would be unbearable. Nor do I know enough about economics to challenge your correspondent's contention that the theory of the welfare state has been carried too far. But his simple solution ("hard work") is something else again. . . .

Uruguay has practically no mineral wealth and limited natural resources. It must depend for a living upon the sheep and the cow, and through the years it has managed this pretty well. Caught up in the present worldwide inflation, the government of Uruguay has serious economic problems—and so has every government, including our own, whether it happens to be on the left, on the right, or in the center. . . .

Your correspondent is wrong in stating that Uruguay resembles Switzerland only in its collegiate form of government. The Uruguayans have held steadfast to their poltical beliefs under heavy pressure. I was in Montevideo when Perón tried to tip over the Uruguayan government by employing the usual tactics of intrigue, subversion and infiltration. The Uruguayans met this emergency with courage, and the government never once used this emergency as an excuse to restrict domestic liberties. The press remained free and so did the people. In its foreign policy, Uruguay has consistently advocated justice and fair-dealing against the frowns of stronger neighbors.

I think the attitude "you are getting what you deserve" is a little harsh when applied to Uruguay.

*Washington, D.C.* EDWARD L. RODDAN
Former Ambassador to Uruguay

### *Turning the Tables*

In "The Week" of the January 4 issue, you pointed out how the Soviet bloc disrupted a Red Cross conference at New Delhi by propagandizing against nuclear tests and on the "peace issue," for political ends of course, in direct violation of the International Red Cross convention. But, as you noted, General Gruenther and the American delegation "got in some hot licks for the blood program, home nursing and disaster relief." All very gentlemanly.

When the Reds start that sort of thing, at any international gathering whatever, why don't our people also get in some hot licks about Hungary, about concentration camps, wholesale massacres and their other butcheries from the very inception of their bloody regime? Why are we always so high-minded and Milquetoast? There is plenty the Americans can talk about, but our delegations sit passive and mute. We should break loose occasionally at all these "international conferences" and remind the world of a thing or two.

*Denver, Col.* FRAZER ARNOLD

### *The Great Books Foundation*

Frederick D. Wilhelmsen wrote a fine piece about the Great Books Foundation ["Icing the Mind," February 8], but he failed to mention what is to me the main offense of this and similar projects which are closely related. These are systems of controlled thinking. There are two lines of control: 1) the Foundation selects the text material that is to be studied and dis-

cussed and 2) the Foundation trains the "leader" for each group.

I went through the "pilot course" of the stablemate for the Great Books course. The same procedure—under the same management. These courses develop, not positive thinking, but neutral thinking. They argue over points until nothing is left. For instance one evening we spent "discussing" the matter of "rights" until there was nothing left of rights. Such "adult studies" tend to destroy belief in all verities.

*Pasadena, Cal.* GEORGE ROBNETT

The Wilhelmsen rhapsody is an odd one: although I recognize some of the words and phrases, I do not otherwise see much relevance to the Great Books Program in which I have been active for some ten years. No doubt however, that the man *thinks* the windmills against which he is charging are really giants or dragons or something.

*San Francisco, Cal.* PARK CHAMBERLAIN

***Humility or Apathy?***

As our Explorer speeds through space, responsible government leaders and molders of public opinion again rush to their microphones and wonder out loud as to the present position of the United States in "world opinion." What has happened to our national pride and to our diplomatic policies that such should be our main concern in every major happening here and abroad? . . .

Humility is not a virtue when we choose to ignore the vital task of moral leadership in the world and abandon it to a tyranny of Godless thought and human repression.

*Towson, Md.* DAVID S. LEYS

***The Free Siamese***

"Letter from Siam" [February 15] was enjoyable reading but I was a little bit disappointed that Mr. Kuehnelt-Leddihn did not say more about that wonderful nation. Six years ago I was fortunate enough to spend over a year in Siam and I, like Mr. Kuehnelt-Leddihn, noted the absence of the outstretched hand. I wish Mr. Leddihn had told your readers why there are no beggars in Thailand.

The Siamese are a happy and well-fed people because "overproduction" is not part of their vocabulary. . . . They have a free money market. I saw no signs of price-fixing, restriction on production, or unfair taxation. I did see an organized labor headquarters, but the laborers were free to work when and where they wished and were permitted to bargain as individuals. This freedom to work and produce without restriction has also enabled them to import many automobiles and other luxuries from abroad.

Mr. Kuehnelt-Leddihn mentioned that the Thais are not keen on hard work. Do they have to be? Other nations have to work hard in order to make up for all the man-hours lost due to government regulations, strikes, waste, curtailment of production, and the destruction of the fruits of labor. The Siamese wisely sees work as a means to a desirable end. He has not succumbed, as we have, to the propaganda that teaches destroying the end to make the means, that is, destroying goods to make jobs.

I have spent a lot of time in many nations and discovered that no people, not even our English-speaking cousins, are as genuinely friendly to Americans as the wonderful Siamese. Americans should know more about these good friends who are the most freedom-loving and anti-Communist people on earth today.

*Eatontown, N.J.* A. MONTI

***Schools and Politicians***

Mr. Russell Kirk states in his February 15 article that he is ". . . not at all disinclined to approve of considerable dabbling in the problems of education by an intelligent politician like Mr. Nixon." . . .

As a practical matter it is impossible to limit a dabbling franchise to "intelligent" politicians. Either education is a legitimate concern of the federal government or it is not. I feel that a proper conservative concern for the Constitution and the principle of limited government which it expresses dictates the conclusion that it is not. If Mr. Kirk agrees with this position, as I believe he does, he should avoid contravening it by implication, as I believe he has.

*Forest Hills, N.Y.* J. DANIEL MAHONEY

***From the Major Minority***

I didn't think I would ever be able to find an article in your magazine that I would even half way agree with, but as an Anglo-Saxon White Protestant Blond Liberal Democrat I had to half way agree with Morrie Ryskind concerning "The Dirtiest Word in the Language" [February 1].

Sincerely, one of the maligned one-third majority.

*Denver, Col.* SILAS R. MOLYNEAUX


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